



February 2, 2007

HOUSE BILL No. 1262

DIGEST OF HB 1262 (Updated January 31, 2007 12:45 pm - DI 96)

Citations Affected: IC 3-5; IC 3-7; IC 5-10.3; IC 5-14; IC 6-1.1; IC 6-6; IC 9-13; IC 9-14; IC 9-16; IC 9-18; IC 9-24; IC 9-29; IC 34-13; IC 36-1; IC 36-2; noncode.

Synopsis: BMV administration by secretary of state. Provides that the secretary of state, by virtue of office, is the commissioner of the bureau of motor vehicles. Abolishes the bureau of motor vehicles commission. Transfers all the commission's powers, duties, and functions to the bureau. Transfers all the commission's appropriations, records, and real and personal property to the bureau.

Effective: June 30, 2007; July 1, 2007.

Pelath

January 11, 2007, read first time and referred to Committee on Roads and Transportation.
February 1, 2007, amended, reported — Do Pass.

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HB 1262—LS 7135/DI 75+



February 2, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1262

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-5-2-23.2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23.2. (a) Except as
3 provided in subsection (b), "expedited basis" refers to the processing
4 of:

- 5 (1) a voter registration application;
- 6 (2) a cancellation of a voter registration application;
- 7 (3) a transfer of a voter registration application; or
- 8 (4) another document that creates or amends the voter registration
9 record of an individual;

10 not later than forty-eight (48) hours after the document is received by
11 a county voter registration office or an agency required under IC 3-7 to
12 transmit voter registration documents to a county voter registration
13 office.

14 (b) If a voter registration application or other document listed in
15 subsection (a) includes a partial Social Security number that must be
16 submitted to the Commissioner of Social Security for verification under
17 42 U.S.C. 405(r), "expedited basis" refers to the processing of the

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1 application or document not later than forty-eight (48) hours after the
 2 bureau of motor vehicles ~~commission~~ receives verification from the
 3 Commissioner regarding the partial Social Security number.

4 SECTION 2. IC 3-7-14-3 IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2007]: Sec. 3. The bureau of motor vehicles
 6 ~~commission~~ is the state's motor vehicle authority for purposes of
 7 NVRA.

8 SECTION 3. IC 3-7-14-5 IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2007]: Sec. 5. As provided in 42 U.S.C.
 10 1973gg-3(c)(1), the bureau of motor vehicles ~~commission~~ shall include
 11 a voter registration application form as a part of the application for a
 12 driver's license prescribed under IC 9-24.

13 SECTION 4. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,
 14 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2007]: Sec. 9. (a) An employee of the bureau of motor
 16 vehicles ~~commission~~ who provides an individual with a driver's license
 17 or identification card application shall do the following:

18 (1) Inform each individual who applies for a driver's license or an
 19 identification card that the information the individual provides on
 20 the individual's application will be used to register the individual
 21 to vote unless:

22 (A) the individual is not eligible to vote;

23 (B) the individual declines to register to vote or fails to
 24 complete the voter registration part of the application; or

25 (C) the individual answers "no" to either question described by
 26 IC 3-7-22-5(3) or IC 3-7-22-5(4).

27 (2) Provide each individual who indicates a desire to register or
 28 transfer registration with assistance in filling out the voter
 29 registration application if requested to do so by the individual.

30 (3) Check the completed voter registration form for legibility and
 31 completeness.

32 (4) Inform the individual that the individual will receive a mailing
 33 from the county voter registration office of the county where the
 34 individual resides concerning the disposition of the voter
 35 registration application.

36 (5) Inform each individual who submits a change of address for
 37 a driver's license or identification card that the information serves
 38 as notice of a change of address for voter registration unless the
 39 applicant states in writing on the form that the change of address
 40 is not for voter registration purposes.

41 (b) The bureau of motor vehicles ~~commission~~ shall transmit a voter
 42 registration form to the election division for transmittal to the

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appropriate county voter registration office in accordance with IC 3-7-26.3.

SECTION 5. IC 3-7-14-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee of the bureau of motor vehicles ~~commission~~ who provides an individual with a driver's license or an identification card application shall do the following:

(1) Inform the individual that license branch registration will not permit the individual to vote in the next election.

(2) Inform the individual of other procedures the individual may follow to vote in the next election.

SECTION 6. IC 3-7-14-11, AS AMENDED BY P.L.164-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. Whenever an applicant completes a voter registration application under section 4 of this chapter, the bureau of motor vehicles ~~commission~~ shall provide the applicant with a written acknowledgment that the applicant has completed a voter registration application at a license branch. The acknowledgment:

(1) may be:

(A) a detachable part; or

(B) an electronic version;

of the registration form prescribed under section 4 of this chapter; and

(2) must set forth the name and residential address of the applicant and the date that the application was completed.

SECTION 7. IC 3-7-14-12, AS AMENDED BY P.L.164-2006, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) An applicant who completes a voter registration application under section 4 of this chapter is not required to submit the application to a county voter registration office.

(b) The bureau of motor vehicles ~~commission~~ shall forward the voter registration part of the application to the election division for transmittal to the appropriate county voter registration office on an expedited basis in accordance with IC 3-7-26.3, IC 9-24-2.5, and 42 U.S.C. 1973gg-3(c)(2)(E).

SECTION 8. IC 3-7-14-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. Voter registration information received or maintained by the bureau of motor vehicles ~~commission~~ under this chapter is confidential and may be used only for voter registration purposes as provided in this article, 42 U.S.C.

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1973gg-3(b), and 42 U.S.C. 1973gg-6(a)(6).

SECTION 9. IC 3-7-14-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. As provided in 42 U.S.C. 1973gg-3(d), a circuit court clerk or board of registration may update the address in the voter registration of an applicant, unless the applicant indicates on an application to obtain or renew a motor vehicle driver's license (or any other change of address form submitted to the clerk or board by the bureau of motor vehicles) ~~commission~~ that the change of address of the applicant is not for voter registration purposes.

SECTION 10. IC 3-7-26.3-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 18. As required under 42 U.S.C. 15483, the secretary of state, the co-directors of the election division, and the bureau of motor vehicles ~~commission~~ shall enter into an agreement to match information in the computerized list data base with information in the data base of the bureau of motor vehicles ~~commission~~ to enable the election division (acting on behalf of the secretary of state) and the ~~commission~~ bureau to verify the accuracy of the information provided on voter registration applications.

SECTION 11. IC 3-7-26.3-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) As required under 42 U.S.C. 15483, the bureau of motor vehicles ~~commission~~ shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The following information is subject to verification under this section:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

SECTION 12. IC 3-7-32-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) This section does not apply to a registration by mail form.

(b) Each voter applying to register at the county voter registration office shall, upon completing the voter registration form, receive a notice of disposition stating whether the voter's name has been added to the registration rolls if the application is approved.

(c) Each voter applying to register before a bureau of motor vehicles ~~commission~~ or voter registration agency shall, upon completing the

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1 voter registration application form, receive a registration
 2 acknowledgement stating that the registration form will be forwarded
 3 to the appropriate county voter registration office so that the voter's
 4 name may be added to the registration rolls if the application is
 5 approved.

6 SECTION 13. IC 3-7-34-5, AS AMENDED BY P.L.164-2006,
 7 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2007]: Sec. 5. (a) If a registration form contains all of the
 9 information required to be supplied by the voter, but does not include
 10 the information required to be supplied by the bureau of motor vehicles
 11 ~~commission~~ or a voter registration agency, the county voter registration
 12 office shall promptly make one (1) effort to contact the officer,
 13 ~~commission~~, **bureau**, or agency to obtain the information.

14 (b) If the information is not obtained from the officer, ~~commission~~,
 15 **bureau**, or agency under subsection (a) not later than seven (7) days
 16 after the county voter registration office provides the notice, the county
 17 voter registration office shall notify the NVRA official. The NVRA
 18 official shall contact the officer, ~~commission~~, **bureau**, or agency to
 19 request that the information be provided to the county voter registration
 20 office or that the officer, ~~commission~~, **bureau**, or agency file a
 21 statement with the county voter registration office indicating why the
 22 information is not available.

23 SECTION 14. IC 3-7-34-7, AS AMENDED BY P.L.81-2005,
 24 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2007]: Sec. 7. (a) The county voter registration office shall
 26 certify to the NVRA official on an expedited basis a list of the
 27 registration forms that have been processed under section 6 of this
 28 chapter but do not contain information required to be supplied by the
 29 bureau of motor vehicles ~~commission~~ or a voter registration agency.

30 (b) The NVRA official shall notify the ~~commission~~ **bureau** or
 31 agency that the ~~commission~~ **bureau** or agency is required to supply the
 32 omitted information on an expedited basis to the county voter
 33 registration office following receipt of notice from the NVRA official.

34 SECTION 15. IC 5-10.3-7-2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The following
 36 employees may not be members of the fund:

37 (1) Officials of a political subdivision elected by vote of the
 38 people, unless the governing body specifically provides for the
 39 participation of locally elected officials.

40 (2) Employees occupying positions normally requiring
 41 performance of service of less than six hundred (600) hours
 42 during a year who:

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- 1 (A) were hired before July 1, 1982; or
 2 (B) are employed by a participating school corporation.
 3 (3) Independent contractors or officers or employees paid wholly
 4 on a fee basis.
 5 (4) Employees who occupy positions that are covered by other
 6 pension or retirement funds or plans, maintained in whole or in
 7 part by appropriations by the state or a political subdivision,
 8 except:
 9 (A) the federal Social Security program; and
 10 (B) the prosecuting attorneys retirement fund established by
 11 IC 33-39-7-9.
 12 ~~(5) Managers or employees of a license branch of the bureau of~~
 13 ~~motor vehicles commission; except those persons who may be~~
 14 ~~included as members under IC 9-16-4.~~
 15 ~~(6)~~ (5) Employees, except employees of a participating school
 16 corporation, hired after June 30, 1982, occupying positions
 17 normally requiring performance of service of less than one
 18 thousand (1,000) hours during a year.
 19 ~~(7)~~ (6) Persons who:
 20 (A) are employed by the state;
 21 (B) have been classified as federal employees by the Secretary
 22 of Agriculture of the United States; and
 23 (C) are covered by the federal Social Security program as
 24 federal employees under 42 U.S.C. 410.
 25 ~~(8)~~ (7) Members and employees of the state lottery commission.
 26 SECTION 16. IC 5-14-3-2, AS AMENDED BY P.L.1-2006,
 27 SECTION 101, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The definitions set forth in
 29 this section apply throughout this chapter.
 30 (b) "Copy" includes transcribing by handwriting, photocopying,
 31 xerography, duplicating machine, duplicating electronically stored data
 32 onto a disk, tape, drum, or any other medium of electronic data storage,
 33 and reproducing by any other means.
 34 (c) "Direct cost" means one hundred five percent (105%) of the sum
 35 of the cost of:
 36 (1) the initial development of a program, if any;
 37 (2) the labor required to retrieve electronically stored data; and
 38 (3) any medium used for electronic output;
 39 for providing a duplicate of electronically stored data onto a disk, tape,
 40 drum, or other medium of electronic data retrieval under section 8(g)
 41 of this chapter, or for reprogramming a computer system under section
 42 6(c) of this chapter.

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(d) "Electronic map" means copyrighted data provided by a public agency from an electronic geographic information system.

(e) "Enhanced access" means the inspection of a public record by a person other than a governmental entity and that:

(1) is by means of an electronic device other than an electronic device provided by a public agency in the office of the public agency; or

(2) requires the compilation or creation of a list or report that does not result in the permanent electronic storage of the information.

(f) "Facsimile machine" means a machine that electronically transmits exact images through connection with a telephone network.

(g) "Inspect" includes the right to do the following:

(1) Manually transcribe and make notes, abstracts, or memoranda.

(2) In the case of tape recordings or other aural public records, to listen and manually transcribe or duplicate, or make notes, abstracts, or other memoranda from them.

(3) In the case of public records available:

(A) by enhanced access under section 3.5 of this chapter; or

(B) to a governmental entity under section 3(c)(2) of this chapter;

to examine and copy the public records by use of an electronic device.

(4) In the case of electronically stored data, to manually transcribe and make notes, abstracts, or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

(h) "Investigatory record" means information compiled in the course of the investigation of a crime.

(i) "Patient" has the meaning set out in IC 16-18-2-272(d).

(j) "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

(k) "Provider" has the meaning set out in ~~IC 16-18-2-295(a)~~ **IC 16-18-2-295(b)** and includes employees of the state department of health or local boards of health who create patient records at the request of another provider or who are social workers and create records concerning the family background of children who may need assistance.

(l) "Public agency" means the following:

(1) Any board, commission, department, division, bureau, committee, agency, office, instrumentality, or authority, by whatever name designated, exercising any part of the executive,

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administrative, judicial, or legislative power of the state.

(2) Any:

(A) county, township, school corporation, city, or town, or any board, commission, department, division, bureau, committee, office, instrumentality, or authority of any county, township, school corporation, city, or town;

(B) political subdivision (as defined by IC 36-1-2-13); or

(C) other entity, or any office thereof, by whatever name designated, exercising in a limited geographical area the executive, administrative, judicial, or legislative power of the state or a delegated local governmental power.

(3) Any entity or office that is subject to:

(A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or

(B) an audit by the state board of accounts.

(4) Any building corporation of a political subdivision that issues bonds for the purpose of constructing public facilities.

(5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.

(6) Any law enforcement agency, which means an agency or a department of any level of government that engages in the investigation, apprehension, arrest, or prosecution of alleged criminal offenders, such as the state police department, the police or sheriff's department of a political subdivision, prosecuting attorneys, members of the excise police division of the alcohol and tobacco commission, conservation officers of the department of natural resources, gaming agents of the Indiana gaming commission, and the security division of the state lottery commission.

~~(7) Any license branch staffed by employees of the bureau of motor vehicles commission under IC 9-16.~~

~~(8)~~ (7) The state lottery commission established by IC 4-30-3-1, including any department, division, or office of the commission.

~~(9)~~ (8) The Indiana gaming commission established under IC 4-33, including any department, division, or office of the commission.

~~(10)~~ (9) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

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(m) "Public record" means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.

(n) "Standard-sized documents" includes all documents that can be mechanically reproduced (without mechanical reduction) on paper sized eight and one-half (8 1/2) inches by eleven (11) inches or eight and one-half (8 1/2) inches by fourteen (14) inches.

(o) "Trade secret" has the meaning set forth in IC 24-2-3-2.

(p) "Work product of an attorney" means information compiled by an attorney in reasonable anticipation of litigation. The term includes the attorney's:

(1) notes and statements taken during interviews of prospective witnesses; and

(2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

This definition does not restrict the application of any exception under section 4 of this chapter.

SECTION 17. IC 6-1.1-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Except as otherwise provided by law, the property owned by this state ~~or a state agency or the bureau of motor vehicles commission~~ is exempt from property taxation.

SECTION 18. IC 6-1.1-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68.

~~(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-15-1.~~

~~(d)~~ (c) The exemption application referred to in section 3 of this

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chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21; or

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16; and

(2) the exemption application referred to in section 3 of this chapter was filed properly at least once after the property was designated for a religious use as described in IC 6-1.1-10-21 or an educational use as described in IC 6-1.1-10-16.

However, if title to any of the real property subject to the exemption changes or any of the tangible property subject to the exemption is used for a nonexempt purpose after the date of the last properly filed exemption application, this subsection does not apply.

SECTION 19. IC 6-6-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the vehicle.

(b) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.

(c) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall

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be entitled to the same reduction when registered in Indiana.

(d) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter, shall receive a credit equal to the remainder of:

- (1) the tax paid for the vehicle; reduced by
- (2) ten percent (10%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. ~~The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund.~~ To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

(e) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to ten percent (10%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the

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change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ten percent (10%) of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(g) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

SECTION 20. IC 6-6-11-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 29. (a) The auditor of state shall transfer the department of natural resources fee, the lake and river enhancement fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:

(1) On or before the eleventh day of each month, the auditor of state shall transfer to the state license branch fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by the bureau of motor vehicles and the license

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branches for returns, decals, collecting the fees and excise taxes and to cover any service charges ~~by the commission~~ under IC 9-29-3. An additional charge may not be imposed for the services of the license branches under this chapter.

(2) At least quarterly, the auditor of state shall set aside for the department of natural resources the fees and the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.

(3) On or before the tenth day of each month, the auditor of state shall distribute to each county the excise tax collections, including delinquent tax collections, for the county for the preceding month. The auditor shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.

(4) The auditor of state shall deposit the revenue from the lake and river enhancement fee imposed by section 12(b) of this chapter in the lake and river enhancement fund established by section 12.5 of this chapter.

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund.

SECTION 21. IC 9-13-2-154 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 154. "Restricted license" means any current driving license, on which the ~~commission~~ **bureau** has designated restrictions.

SECTION 22. IC 9-14-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) ~~The governor secretary of state, by virtue of office, is the commissioner of the bureau of motor vehicles.~~

(b) ~~The secretary of state, as commissioner, shall appoint a commissioner to administer the bureau. The commissioner serves at the pleasure of the governor. Subject to IC 4-12-1-13, the governor shall fix the salary of the commissioner at the time of appointment.~~

SECTION 23. IC 9-14-3-5, AS AMENDED BY P.L.210-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) Except as provided in subsection (b), (d), or (e), the bureau shall prepare and deliver information on titles, registrations, and licenses and permits upon the request of any person. All requests must be:

- (1) submitted in writing; or
- (2) made electronically through the computer gateway

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administered by the intelenet commission under IC 5-21;
to the bureau and, unless exempted under IC 9-29, must be
accompanied by the payment of the fee prescribed in IC 9-29-2-2.

(b) The bureau shall not disclose:

- (1) the Social Security number;
- (2) the federal identification number;
- (3) the driver's license number;
- (4) the digital image of the driver's license applicant;
- (5) a reproduction of the signature secured under IC 9-24-9-1 or IC 9-24-16-3; or
- (6) medical or disability information;

of any person except as provided in subsection (c).

(c) The bureau may disclose any information listed in subsection

(b):

- (1) to a law enforcement officer;
- (2) to an agent or a designee of the department of state revenue;
- (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4), IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
- (4) for voter registration and election purposes required under IC 3-7 or IC 9-24-2.5.

(d) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(e) The ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (d)) to sign a voter registration application, except as authorized under IC 3-7-14.

SECTION 24. IC 9-14-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) Upon the submission to the bureau of a specific written request from an individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties, as described in IC 9-29-2-3.

(c) An individual or organization making a request under this section must certify one (1) of the following:

- (1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications,

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and that the individual or organization will use the information provided only for that purpose.

(2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.

(3) That the information will be used for the purpose of documenting the sale of motor vehicles in Indiana.

(4) That the information will be used for purposes of the federal Selective Service System.

(5) That the information will be used solely for law enforcement purposes by police officers.

(d) The ~~commission~~ **bureau** may not compile or release information concerning voter registration under this section.

(e) The bureau shall provide the requested information under this section in a format that is agreeable to the parties, including the following formats:

(1) Printed records.

(2) Microfiche.

(3) Computer disk.

SECTION 25. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) Except as provided in sections 8 and 10 of this chapter:

(1) an officer or employee of the bureau; **or**

(2) ~~an officer or employee of the bureau of motor vehicles commission; or~~

(3) ~~(2) a contractor of the bureau or the bureau of motor vehicles commission~~ (or an officer or employee of the contractor);

may not knowingly disclose personal information about a person obtained by the bureau in connection with a motor vehicle record.

(b) A person's Social Security number shall not be in any way disclosed on a motor vehicle registration.

SECTION 26. IC 9-16-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) As used in this chapter, "qualified person" means any of the following:

(1) A motor club that is any of the following:

(A) A domestic corporation.

(B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.

(2) A financial institution (as defined in IC 28-1-1-3).

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(3) A new motor vehicle dealer licensed under IC 9-23-2.

(4) Other persons, including persons licensed under IC 9-23-2 that are not covered by subdivision (3), that the ~~commission~~ **commissioner** determines can meet the standards adopted by the ~~commission~~ **commissioner** under ~~IC 9-15-2-1(7)~~ **subsection (b)** and the requirements for partial service contractors under section 4.5 of this chapter.

(b) The commissioner shall establish and adopt minimum standards for the operation and maintenance of each partial service contractor under this article. The standards must result in more convenience to the public by providing license branch services at as many walk-up locations as possible without increasing the cost of providing these services.

SECTION 27. IC 9-16-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The ~~commission~~ **commissioner** shall operate or be responsible for the administration of all license branches in Indiana under this article.

SECTION 28. IC 9-16-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) License branches have all the powers and duties assigned to license branches by statute and by the commissioner.

(b) The commissioner shall assign to license branches those functions that:

(1) the ~~commission or the~~ bureau is legally required or authorized to perform; and

(2) cannot be adequately performed by ~~the commission or the~~ bureau without assistance from the license branches.

SECTION 29. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The ~~commission~~ **commissioner** may contract with a qualified person for:

(1) the operation of a full service license branch under this section; or

(2) ~~providing the provision of~~ partial services under section 4.5 of this chapter.

(b) A contract for the operation of a full service license branch must include the following provisions:

(1) The contractor shall provide a full service license branch, including the following services:

(A) Vehicle titles.

(B) Vehicle registration.

(C) Driver's licenses.

(D) Voter registration as provided in IC 3-7.

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(2) The contractor shall provide trained personnel to properly process branch transactions.

(3) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the license branch.

(B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.

(5) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **commissioner**.

(6) The contractor may operate the license branch within a facility used for other purposes.

(7) The contractor shall pay the cost of any post audits conducted by the ~~commission~~ or the state board of accounts on an actual cost basis.

(8) The ~~commission~~ **bureau** shall provide support systems and driver's license examiners on the same basis as state operated branches.

(9) The ~~commission~~ **bureau** shall provide the same equipment to contractors as is provided to state operated branches.

(10) The ~~commission~~ **commissioner** must approve each location and physical facility based upon criteria developed by the ~~commission~~ **commissioner**.

(11) The term of the contract must be for a fixed period.

(12) The contractor shall agree to provide voter registration services and to perform the same duties imposed on the ~~commission~~ **bureau** under IC 3-7.

SECTION 30. IC 9-16-1-4.5, AS AMENDED BY P.L.210-2005, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.5. (a) The ~~commission~~ **commissioner** may contract with a qualified person to provide partial services at a qualified person's location, including locations within a facility used for other purposes, such as electronic titling and title application services and self-serve terminal access.

(b) A contract for providing motor vehicle registration and renewal services at a location must include the following provisions:

(1) The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.

(2) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at

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the contract location.

(B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(3) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **commissioner**.

(4) The contractor shall pay the cost of any post audits conducted by the ~~commission~~ or the state board of accounts on an actual cost basis.

(5) The ~~commission~~ **commissioner** must approve each location and physical facility used by a contractor.

(6) The term of the contract must be for a fixed period.

SECTION 31. IC 9-16-1-7, AS AMENDED BY P.L.156-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day.

(b) On each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to 6:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(c) On the day before each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(d) The ~~commission~~ **commissioner** shall:

(1) designate another day as time off; or

(2) authorize overtime pay;

for license branch personnel required to work on an election day.

SECTION 32. IC 9-16-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. ~~Subject to the approval of the commission~~; The bureau may request the necessary office space, storage space, and parking facilities for each license branch operated by the ~~commission~~ **bureau** from the Indiana department of administration as provided in IC 4-20.5-5-5.

SECTION 33. IC 9-16-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The manager of each license branch that is staffed by ~~commission~~ **bureau** employees shall prepare and submit a proposed operating budget for that license branch to the commissioner before August 1 of each year.

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SECTION 34. IC 9-16-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Based on the proposed budgets from each of the license branches, the ~~commission~~ **bureau** shall develop a statewide license branch budget. If the ~~commission~~ **commissioner** determines that the total of:

(1) revenues from license branch operations; and

(2) appropriations received by the ~~commission~~ **bureau**; are insufficient to support license branch operations, the ~~commission~~ **commissioner** shall increase the branch service charges under IC 9-29-3.

SECTION 35. IC 9-16-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. On or before September 1 of each even-numbered year, the ~~commission~~ **commissioner** shall submit to the budget agency a proposed budget. The ~~commission~~ **commissioner** shall include, at a minimum, the following information on a county by county basis:

(1) Total estimated revenue by source.

(2) Total estimated expenditures for salaries and fringe benefits.

(3) Total estimated expenditures for other personal services.

(4) Total estimated expenditures for nonpersonal services.

(5) Total estimated expenditures for contractual services.

(6) Total estimated expenditures for supplies and materials.

(7) All other estimated expenditures.

(8) The number of full-time and part-time employees.

(9) Other information the budget agency requires.

SECTION 36. IC 9-16-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The ~~commission~~ **bureau** shall offer voter registration services under this chapter, in addition to providing a voter registration application as a part of an application for a motor vehicle driver's license, permit, or identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

SECTION 37. IC 9-16-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. The registration forms provided under section 3 of this chapter must be:

(1) prescribed by the Indiana election commission to permit the NVRA official to fulfill the NVRA official's reporting duties under 42 U.S.C. 1973gg-7(a)(3) and IC 3-7-11-2; and

(2) placed in an easily accessible location within the branch, so that members of the public may obtain the forms without further assistance from the ~~commission~~ **bureau**.

SECTION 38. IC 9-18-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Within sixty (60)

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days of becoming an Indiana resident, a person must register all motor vehicles owned by the person that:

- (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
- (2) will be operated in Indiana.

(b) Within sixty (60) days after becoming an Indiana resident, a person must register all commercial vehicles owned by the person that:

- (1) are subject to the commercial vehicle excise tax under IC 6-6-5.5;
- (2) are not subject to proportional registration under the International Registration Plan; and
- (3) will be operated in Indiana.

(c) A person must produce evidence concerning the date on which the person became an Indiana resident.

(d) Except as provided in subsection (e), an Indiana resident must register all motor vehicles operated in Indiana.

(e) An Indiana resident who has a legal residence in a state that is not contiguous to Indiana may operate a motor vehicle in Indiana for not more than sixty (60) days without registering the motor vehicle in Indiana.

(f) An Indiana resident who has registered a motor vehicle in Indiana in any previous registration year is not required to register the motor vehicle, is not required to pay motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the motor vehicle, and is exempt from property tax on the motor vehicle for any registration year in which:

- (1) the Indiana resident is:
 - (A) an active member of the armed forces of the United States; and
 - (B) assigned to a duty station outside Indiana; and
- (2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(g) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (f), the Indiana resident may submit an affidavit that:

- (1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (e); and
- (2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (f). The ~~commission~~ or bureau may not require the Indiana

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resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year.

SECTION 39. IC 9-18-29-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The fee for an environmental license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 40. IC 9-18-30-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The fee for a kids first trust license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the ~~commission.~~ **bureau.**

SECTION 41. IC 9-24-1-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1.5. ~~(a) This section applies after December 31, 2005.~~

~~(b)~~ **(a)** The standards set forth in IC 3-5-5 to determine the residence of an individual applying to become a voter apply to the determination of the residence of an individual applying for a license under this article.

~~(c)~~ **(b)** This section does not prevent the ~~commission~~ **bureau** from issuing a license under this article to an individual who is:

(1) not required by this article to reside in Indiana to receive the license; and

(2) otherwise qualified to receive the license.

SECTION 42. IC 9-24-2.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. This chapter prescribes the procedures to be followed by the ~~commission~~ **bureau** in processing voter registration applications under 42 U.S.C. 1973gg-3 and IC 3-7-14.

SECTION 43. IC 9-24-2.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The manager of each license branch may designate an employee of the license branch as the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The employee designated under this section shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license

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branch under this chapter. Notwithstanding this designation, any employee of the license branch may perform registration duties in accordance with this chapter.

SECTION 44. IC 9-24-2.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. If the manager does not designate an employee under section 2 of this chapter, the manager is the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The manager shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding the designation of the manager under this section, any employee of the license branch may perform registration duties in accordance with this chapter.

SECTION 45. IC 9-24-2.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The co-directors of the election division shall provide the ~~commission~~ **bureau** with a list of the current addresses and telephone numbers of the offices of the circuit court clerk or board of registration in each county. The ~~commission~~ **bureau** shall promptly forward the list and each revision of the list to each license branch.

(b) The co-directors of the election division shall provide the ~~commission~~ **bureau** with pre-addressed packets for the ~~commission~~ **bureau** to transmit applications under section 6(1) or 6(2) of this chapter.

SECTION 46. IC 9-24-2.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. The co-directors of the election division shall notify the ~~commission~~ **bureau** of the following:

- (1) The scheduled date of each primary, general, municipal, and special election.
- (2) The jurisdiction in which the election will be held.
- (3) The date when registration ceases under IC 3-7-13-10 before each primary, general, municipal, and special election.

SECTION 47. IC 9-24-2.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. The ~~commission~~ **bureau** shall provide the co-directors of the election division with a list stating the following:

- (1) The address and telephone number of each license branch.
- (2) The name of the manager of the license branch and any employee designated by the manager to be responsible for performing voter registration duties under this chapter.

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SECTION 48. IC 9-24-2.5-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. As required under 42 U.S.C. 15483, the secretary of state (with the consent of the co-directors of the election division) and the ~~commission~~ **bureau** shall enter into an agreement to match information in the computerized list established under IC 3-7-26.3 with information in the data base of the ~~commission~~ **bureau** to enable the election division and the ~~commission~~ **bureau** to verify the accuracy of the information provided on voter registration applications.

SECTION 49. IC 9-24-2.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. (a) As required under 42 U.S.C. 15483, the ~~commission~~ **bureau** shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The information subject to verification under this section is the following:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

(c) The agreement under subsection (b) must comply with 42 U.S.C. 15481 and IC 3-7-26.3.

SECTION 50. IC 9-24-10-7.5, AS ADDED BY P.L.210-2005, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7.5. A physician licensed to practice medicine under IC 25-22.5, an optometrist licensed to practice optometry under IC 25-24, or an advanced practice nurse licensed under IC 25-23 who has personally examined the patient not more than thirty (30) days before making a report concerning the patient's fitness to operate a motor vehicle is not civilly or criminally liable for a report made in good faith to the:

(1) bureau;

~~(2) commission;~~ or

~~(3)~~ **(2)** driver licensing medical advisory board;

concerning the fitness of a patient of the physician, optometrist, or advanced practice nurse to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

SECTION 51. IC 9-29-1-2 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Money from the increases in fees levied by the 1969 regular session of the general assembly in IC 9-18-2, IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16, IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10, IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily with the treasurer of state and credited to the highway, road, and street fund established under IC 8-14-2-2.1.

(b) For the purpose of providing adequate and sufficient funds for the crossroads 2000 fund established under IC 8-14-10-9, and subject to subsection (c), after June 30, 1997, ~~with the approval of the bureau of motor vehicles commission~~ the bureau of motor vehicles may adopt rules under IC 4-22-2 to increase, by an amount that is in addition to the fees specified by statute, the fees under the following:

IC 9-29-4-3

IC 9-29-5

IC 9-29-9-1

IC 9-29-9-2

IC 9-29-9-3

IC 9-29-9-4

IC 9-29-9-5

IC 9-29-9-6

IC 9-29-9-7

IC 9-29-9-8

IC 9-29-9-9

IC 9-29-9-10

IC 9-29-9-11

IC 9-29-9-13

IC 9-29-9-14

IC 9-29-15-1

IC 9-29-15-2

IC 9-29-15-3

IC 9-29-15-4.

The amount of fees increased under this section shall first be deposited into the crossroads 2000 fund established under IC 8-14-10-9.

(c) The bureau's authority to adopt rules under subsection (b) is subject to the condition that a fee increase must be uniform throughout all license branches and at all partial service locations in Indiana.

SECTION 52. IC 9-29-3-19, AS AMENDED BY P.L.68-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) As used in this section, "low numbered motor vehicle registration plate" means any motor vehicle registration

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plate numbered from one (1) to one hundred (100) before or after the county designation number or letter series designation, or both.

(b) As used in this section, "pull service charge" refers to the charge that the ~~commission~~ **bureau** may require for a requested low numbered motor vehicle registration plate or a special numbered motor vehicle registration plate.

(c) As used in this section, "special numbered motor vehicle registration plate" means any plate, other than a low numbered motor vehicle registration plate, requested for issuance out of its established numerical sequence.

(d) Subject to subsections (e) and (f), ~~and with the approval of the commission~~, the bureau may adopt rules under IC 4-22-2 to do the following:

(1) Increase or decrease any of the service charges listed in sections 1 through 18 of this chapter.

(2) Impose a service charge on any other license branch service that is not listed in sections 1 through 18 of this chapter.

(3) Increase or decrease a service charge imposed under subdivision (2).

(e) The bureau's authority to adopt rules under subsection (d) is subject to the condition that a service charge must be uniform throughout all license branches and at all partial service locations in Indiana.

(f) The bureau may not impose a pull service charge for a requested passenger motor vehicle registration plate containing the numbers set forth in IC 9-18-2-28 for a motor vehicle:

(1) issued a license plate under IC 9-18-17 that designates the motor vehicle as being owned by a former prisoner of war or by the surviving spouse of a former prisoner of war; or

(2) ~~after December 31, 2006~~, issued a license plate under IC 9-18-19 that designates the motor vehicle as being owned by a person who has received a Purple Heart decoration.

(g) The bureau may not impose a pull service charge of more than fifteen dollars (\$15) for a requested motor vehicle registration plate issued under IC 9-18-25 for a special group recognition license plate that commemorates the bicentennial of the Lewis and Clark expedition.

SECTION 53. IC 9-29-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The state license branch fund is established for the purpose of paying the expenses incurred in administering IC 9-16. **The bureau shall administer the fund.** ~~shall be administered by the commission.~~

SECTION 54. IC 9-29-14-4 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. There is annually
 2 appropriated to the ~~commission~~ **bureau** the money in the fund for its
 3 use in carrying out the purposes of IC 9-16 subject to the approval of
 4 the budget agency.

5 SECTION 55. IC 34-13-3-2 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. This chapter applies
 7 to a claim or suit in tort against any of the following:

8 (1) A member of the bureau of motor vehicles commission
 9 established under IC 9-15-1-1 **(before its repeal)**.

10 (2) An employee of the bureau of motor vehicles commission who
 11 is employed at a license branch under IC 9-16, except for an
 12 employee employed at a license branch operated under a contract
 13 with the commission **or the bureau** under IC 9-16.

14 SECTION 56. IC 36-1-8-11 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) This section
 16 does not apply to a county treasurer governed by IC 36-2-10-23.

17 (b) As used in this section, "credit card" means a:

- 18 (1) credit card;
- 19 (2) debit card;
- 20 (3) charge card; or
- 21 (4) stored value card.

22 (c) A payment to a political subdivision or a municipally owned
 23 utility for any purpose may be made by any of the following financial
 24 instruments that the fiscal body of the political subdivision or the board
 25 of the municipally owned utility authorizes for use:

- 26 (1) Cash.
- 27 (2) Check.
- 28 (3) Bank draft.
- 29 (4) Money order.
- 30 (5) Bank card or credit card.
- 31 (6) Electronic funds transfer.
- 32 (7) Any other financial instrument authorized by the fiscal body.

33 (d) If there is a charge to the political subdivision or municipally
 34 owned utility for the use of a financial instrument, the political
 35 subdivision or municipally owned utility may collect a sum equal to the
 36 amount of the charge from the person who uses the financial
 37 instrument.

38 (e) If authorized by the fiscal body of the political subdivision or the
 39 board of the municipally owned utility, the political subdivision or
 40 municipally owned utility may accept payments under this section with
 41 a bank card or credit card under the procedures set forth in this section.
 42 However, the procedure authorized for a particular type of payment

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1 must be uniformly applied to all payments of the same type.

2 (f) The political subdivision or municipally owned utility may
3 contract with a bank card or credit card vendor for acceptance of bank
4 cards or credit cards.

5 (g) The political subdivision or municipally owned utility may pay
6 any applicable bank card or credit card service charge associated with
7 the use of a bank card or credit card under this subsection.

8 (h) The authorization of the fiscal body of the political subdivision
9 is not required by the bureau of motor vehicles ~~or the bureau of motor~~
10 ~~vehicles commission~~ to use electronic funds transfer or other financial
11 instruments to transfer funds to the political subdivision.

12 SECTION 57. IC 36-2-10-23 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23. (a) Notwithstanding
14 any other law, payments to the treasurer for any purpose, including
15 property tax payments, may be made by any of the following financial
16 instruments that the treasurer authorizes for use:

- 17 (1) Cash.
- 18 (2) Check.
- 19 (3) Bank draft.
- 20 (4) Money order.
- 21 (5) Bank card or credit card.
- 22 (6) Electronic funds transfer.
- 23 (7) Any other financial instrument authorized by the treasurer.

24 (b) If there is a charge to the treasurer for the use of a financial
25 instrument other than a bank card or credit card, the treasurer shall
26 collect a sum equal to the amount of the charge from the person who
27 uses the financial instrument.

28 (c) A treasurer may contract with a bank card or credit card vendor
29 for acceptance of bank or credit cards. However, if there is a vendor
30 transaction charge or discount fee, whether billed to the treasurer or
31 charged directly to the treasurer's account, the treasurer shall collect
32 from the person using the card an official fee that may not exceed the
33 highest transaction charge or discount fee charged to the treasurer by
34 bank or credit card vendors during the most recent collection period.
35 This fee may be collected regardless of retail merchant agreements
36 between the bank and credit card vendors that may prohibit such a fee.
37 The fee is a permitted additional charge under IC 24-4.5-3-202.

38 (d) Notwithstanding subsection (a), the authorization of the treasurer
39 is not required for the bureau of motor vehicles ~~or the bureau of motor~~
40 ~~vehicles commission~~ to use electronic funds transfer or other financial
41 instruments to transfer funds to the county treasurer.

42 SECTION 58. THE FOLLOWING ARE REPEALED [EFFECTIVE

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JULY 1, 2007]: IC 9-13-2-32; IC 9-15; IC 9-16-2-4; IC 9-16-2-5; IC 9-16-4.

SECTION 59. [EFFECTIVE JUNE 30, 2007] (a) As used in this SECTION, "bureau" refers to the bureau of motor vehicles created by IC 9-14-1-1.

(b) As used in this SECTION, "commission" refers to the bureau of motor vehicles commission established by IC 9-15-1-1 (before its repeal by this act).

(c) On July 1, 2007, the commission is abolished and all powers, duties, and functions adhering to the commission are transferred to the bureau.

(d) On July 1, 2007, the:

- (1) appropriations;
- (2) records; and
- (3) real and personal property;

of the commission are transferred to the bureau.

(e) Any fund under the control or supervision of the commission on June 30, 2007, is transferred to the control or supervision of the bureau on July 1, 2007.

(f) This SECTION expires July 1, 2008.

SECTION 60. [EFFECTIVE JULY 1, 2007] (a) The legislative services agency shall prepare legislation for introduction in the 2008 regular session of the general assembly to organize and correct statutes affected by the transfer of responsibilities from the bureau of motor vehicles commission to the bureau of motor vehicles by this act, including review of the following statutes to determine whether changes are necessary:

- (1) IC 9-13.
- (2) IC 9-14.
- (3) IC 9-15.
- (4) IC 9-16.
- (5) IC 9-17.
- (6) IC 9-18.
- (7) IC 9-19.
- (8) IC 9-20.
- (9) IC 9-21.
- (10) IC 9-22.
- (11) IC 9-23.
- (12) IC 9-24.
- (13) IC 9-25.
- (14) IC 9-26.
- (15) IC 9-27.

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- 1 **(16) IC 9-28.**
- 2 **(17) IC 9-29.**
- 3 **(18) IC 9-30.**
- 4 **(19) IC 9-31.**
- 5 **(20) Any other statute requiring an amendment to conform to**
- 6 **this act.**
- 7 **(b) This SECTION expires June 30, 2008.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1262, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

SECTION 1. IC 3-5-2-23.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23.2. (a) Except as provided in subsection (b), "expedited basis" refers to the processing of:

- (1) a voter registration application;
- (2) a cancellation of a voter registration application;
- (3) a transfer of a voter registration application; or
- (4) another document that creates or amends the voter registration record of an individual;

not later than forty-eight (48) hours after the document is received by a county voter registration office or an agency required under IC 3-7 to transmit voter registration documents to a county voter registration office.

(b) If a voter registration application or other document listed in subsection (a) includes a partial Social Security number that must be submitted to the Commissioner of Social Security for verification under 42 U.S.C. 405(r), "expedited basis" refers to the processing of the application or document not later than forty-eight (48) hours after the bureau of motor vehicles ~~commission~~ receives verification from the Commissioner regarding the partial Social Security number."

Page 12, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 20. IC 6-6-11-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 29. (a) The auditor of state shall transfer the department of natural resources fee, the lake and river enhancement fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:

- (1) On or before the eleventh day of each month, the auditor of state shall transfer to the state license branch fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by the bureau of motor vehicles and the license branches for returns, decals, collecting the fees and excise taxes and to cover any service charges ~~by the commission~~ under IC 9-29-3. An additional charge may not be imposed for the

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services of the license branches under this chapter.

(2) At least quarterly, the auditor of state shall set aside for the department of natural resources the fees and the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.

(3) On or before the tenth day of each month, the auditor of state shall distribute to each county the excise tax collections, including delinquent tax collections, for the county for the preceding month. The auditor shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.

(4) The auditor of state shall deposit the revenue from the lake and river enhancement fee imposed by section 12(b) of this chapter in the lake and river enhancement fund established by section 12.5 of this chapter.

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund."

Page 27, after line 9, begin a new paragraph and insert:

"SECTION 60. [EFFECTIVE JULY 1, 2007] (a) **The legislative services agency shall prepare legislation for introduction in the 2008 regular session of the general assembly to organize and correct statutes affected by the transfer of responsibilities from the bureau of motor vehicles commission to the bureau of motor vehicles by this act, including review of the following statutes to determine whether changes are necessary:**

- (1) IC 9-13.
- (2) IC 9-14.
- (3) IC 9-15.
- (4) IC 9-16.
- (5) IC 9-17.
- (6) IC 9-18.
- (7) IC 9-19.
- (8) IC 9-20.
- (9) IC 9-21.
- (10) IC 9-22.
- (11) IC 9-23.
- (12) IC 9-24.
- (13) IC 9-25.
- (14) IC 9-26.
- (15) IC 9-27.

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(16) IC 9-28.

(17) IC 9-29.

(18) IC 9-30.

(19) IC 9-31.

(20) Any other statute requiring an amendment to conform to this act.

(b) This SECTION expires June 30, 2008."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1262 as introduced.)

AUSTIN, Chair

Committee Vote: yeas 7, nays 5.

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